

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

IN RE:

DENNIS MANUEL
DBA 224 BERGEN BONDS NEVINS CORP

Debtor.

Hearing Date: February 14, 2018
Hearing time: 9:30AM

Case No.: 17-46069-nhl
Chapter 13
Judge: Nancy Hershey Lord

OBJECTION TO CONFIRMATION

Ehret A. VanHorn, Esq., an attorney duly admitted to practice before the United States Bankruptcy Court for the Eastern District of New York, states the following under the penalty of perjury:

1. I am an attorney at law duly licensed to practice before this Court and an associate with the office of Gross Polowy, LLC, attorneys for Ditech Financial LLC ("Secured Creditor"), and as such, am fully familiar with the facts and circumstances of the present case.

2. Secured Creditor is the holder of a note secured by a mortgage on real property commonly known as 224 Bergen Street, Brooklyn, NY 11217 which property is owned by the Debtor.

3. The Debtor filed a Chapter 13 Plan on November 15, 2017 which does not state the arrears owed Secured Creditor.

4. Secured Creditor will file a Proof of Claim listing approximately \$458,565.60 in pre-petition arrears.

5. The Debtor's proposed Chapter 13 Plan requests Loss Mitigation, however the Court has not yet entered a Loss Mitigation Order.

6. As the Debtor's proposed plan fails to provide for full payment of the arrears listed in the Proof of Claim to be filed by Secured Creditor confirmation of the Plan must be denied pursuant to 11 U.S.C. §1325.

WHEREFORE, it is respectfully requested that this Court deny confirmation of the Debtor's proposed plan, and for such other and further relief as to this Court deems just and equitable.


Ehret A. VanHorn, Esq.